

On motion of Senator Hanger, further consideration of the bill was postponed until Monday next, February 19.

The Chair laid before the Senate, on second reading,

Senate bill No. 11, A bill to be entitled "An Act to provide a uniform method of electing trustees in independent school districts, defining the duties of such trustees, and repealing Act of March 30, 1899, and also Articles 4001, 4017, 4007, 4008, 4009, 4010 and 4012, Revised Statutes, and all other laws, both general and special, in conflict with the provisions of this act, and providing an emergency."

The bill was read a second time.

Pending further action, on motion of Senator Goss, the bill was laid on the table subject to call.

(House bill No. 19, on the above subject, and very similar in terms, had been passed by the House, reported to the Senate, and reported favorably by the Senate Committee on Education.)

PRIVILEGED COMMITTEE REPORTS.

Committee Room,
Austin, Texas, February 16, 1900.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Substitute Senate bill No. 9, being "An Act to be entitled 'An Act authorizing the Railroad Commission of the State of Texas to investigate into the running and operating by any railroad in this State of more than one working locomotive in any one train at the same time, and to authorize them to regulate or forbid such practice either on all or a part of such railroad, and to prescribe a penalty for the violation of the Commission's order, and to define an abuse, and to provide that railway employees shall not be held to assume the risk when engaged in the operation of trains propelled by more than one engine,'"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,
Austin, Texas, February 16, 1900.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 10, being "An Act authorizing the sale of certain portions of the public free school, University and

asylum lands to railroad companies owning and operating railways in this State, for the establishment of depots, stations, yards, round houses, shops, divisional terminals or water stations, required in connection with the operation of such railroads; to prescribe the terms and conditions of such sales and to authorize the Commissioner of the General Land Office to fix the price of such lands, when so sold for such purposes,"

And find the same correctly engrossed.

JAMES, Chairman.

There being no other business before the Senate,

On motion of Senator Wayland, a recess of 30 minutes was taken.

AFTER RECESS.

PRIVILEGED COMMITTEE REPORT.

The following committee report was read:

Committee Room,
Austin, Texas, February 16, 1900.
Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 12, being "An Act to define libel as the foundation for a civil action for damages,"

And find the same correctly engrossed.

JAMES, Chairman.

On motion of Senator Morriss, the Senate took a recess until 10 a. m. tomorrow.

SIXTEENTH DAY—CONTINUED.

AFTER RECESS.

Austin, Texas, February 17, 1900.
The Senate was called to order at 10 a. m. by Lieutenant-Governor Browning.

REGULAR ORDER.

The Chair laid before the Senate, on second reading,

House bill No. 19, A bill to be entitled "An Act to provide a uniform method of selecting trustees in independent school districts, defining the duties of such trustees, the time and manner of election, also the appointment of trustees by the city council under certain conditions, validating the acts of trustees heretofore elected or appointed, and continuing such trustees in office until their successors are legally chosen and qualified, repealing Act of March 30, 1899, Chapter LI,

General Laws, passed by the Twenty-sixth Legislature, also Articles 4001, 4007, 4008, 4009, 4010, 4011, 4012, 4017, 4018, 4019, 4020, 4021, 4022, and all other laws or part of laws, both special and general, in conflict with the provisions of this act, and providing an emergency.

The bill was read a second time.

On motion of Senator Hanger, further consideration of the bill was postponed until Monday next, February 19, after call, and the bill made special order for that hour.

The Chair laid before the Senate, on second reading,

Senate bill No. 20, A bill to be entitled "An Act to amend Article 418 of the Revised Civil Statutes of the State of Texas, relating to providing water for cities."

The bill was read a second time.

On motion of Senator Grinnan, the bill was laid on the table subject to call.

There being no further business before the Senate, on motion of Senator Patterson, the Senate took a recess of 30 minutes.

AFTER RECESS.

COMMITTEE REPORT.

Committee Room,
Austin, Texas, February 17, 1900.
Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bill have carefully examined and compared

Senate bill No. 13, being "An Act to amend Article 3964 of the Revised Civil Statutes of 1895, as amended by the Twenty-fifth Legislature, and providing for the taking of the scholastic census biennially,"

And find the same correctly engrossed.

JAMES, Chairman.

CALLED FROM THE TABLE.

Senator Grinnan called up from the table, on second reading,

Senate bill No. 20, A bill to be entitled "An Act to amend Article 418 of the Revised Civil Statutes of the State of Texas, relating to providing water for cities," action being on engrossment.

Senator Grinnan offered the following substitute for the bill:

A BILL

TO BE ENTITLED

"AN ACT to amend Article 418 of the Revised Civil Statutes of the State of Texas, relative to providing water for cities and towns."

Section 1. Be it enacted by the Legis-

lature of the State of Texas: That Article 418 of the Revised Civil Statutes of the State of Texas, be amended so as to hereafter read as follows:

Article 418. To provide or cause to be provided, the city with water, to make, to regulate and establish public wells, pumps and cisterns, hydrants and reservoirs, in the streets or elsewhere, within said city or beyond the limits thereof, for the extinguishment of fires and the convenience of the inhabitants, and to prevent the unnecessary waste of water. Provided, that any city or town owning, or that may hereafter own its water systems and plant, shall not lease or sell the same without first submitting the question of such proposed lease or sale to a vote of the qualified voters who are property taxpayers of such town or city, as shown by the last preceding tax rolls, at a general election, or at one held for that especial purpose, and a majority of those voting shall vote in favor thereof, before submitting such question to a vote as aforesaid. The proposed contract of lease or sale shall be distinctly set forth in the form of an ordinance or contract, and shall be filed with the city or town secretary or clerk, for at least twenty days prior to the day of the election, and shall at all times be subject to inspection by the people of such city.

Sec. 2. Whereas, there is now no law by which the taxpaying citizens of a city, incorporated under the General Laws, can exercise a voice in the leasing for long terms of years, or selling water plants, costing many thousands of dollars, and the near approach of the close of the session and the crowded condition of the calendar, creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

The substitute was read, and adopted.

The bill, as substituted, was ordered engrossed.

There being no other business before the Senate,

On motion of Senator Hanger, the Senate took a recess of 30 minutes.

AFTER RECESS.

SPECIAL COMMITTEE REPORT.

The following report by special committee was made:

To the Hon. Jas. N. Browning, President of the Senate:

Your special committee, appointed to investigate the practice of mutilating or marking bills in the engrossment depart-

ment, and of certain inaccuracies in amendments to Senate bill No. 30, beg leave to report that we have examined into the matters complained of, and find:

First. That Senate bill No. 30, is badly marked and disfigured, by lines and writing to such an extent as that it would be impossible to make a certified copy of same.

Second. That the practice of marking or in any manner disfiguring original bills is a reprehensible practice, and should be discarded.

Third. That the bill in question was marked by Mr. J. K. P. Shirley, Assistant Engrossing clerk, but that no intentional wrong was committed.

Fourth. We find that the following amendment was offered to Senate bill No. 30, by Senator Atlee, to wit: "In order to be the basis of a civil action for damages," and in engrossing the bill the amendment was made to read, "In order to be the basis of a criminal action for damages," which altered altogether the sense of the bill. And we find that this error was also made by Mr. J. K. P. Shirley, but without any design on his part.

Fifth. Your committee attaches no blame to the engrossing clerk, Mr. F. P. Smith, but would most earnestly insist that the chief virtue of this department is accuracy. We would further suggest that hereafter, all assistants in the engrossing department be strictly under the control and supervision of the engrossing clerk.

Respectfully submitted.

DIBRELL,
GREER,
LLOYD.

HOUSE MESSAGES.

The following messages from the House were received:

Hall of the House of Representatives.
Austin, Texas, February 17, 1900.

Hon. J. N. Browning, President of the Senate.

MR. PRESIDENT: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 16, being A bill to be entitled "An Act to amend Sections 12, 56, 77, 119 and 120, of an Act entitled 'An Act to incorporate the city of Dallas, and to grant it a new charter,' approved May 9, 1899, with an emergency clause."

Also Senate bill No. 18, "An Act to amend Sections 43 and 45 of 'An Act incorporating the city of San Antonio,' approved August 13, 1870, and all of acts amendatory thereof."

Also Senate bill No. 8, "An Act to amend Section 7 of 'An Act to provide

for the location and building of a branch asylum for the care and treatment of the epileptic insane of the State, and to make an appropriation therefor,' approved February 9, 1899."

MARK LOGAN,
Acting Chief Clerk House of Representatives.

Hall of the House of Representatives.
Austin, Texas, February 17, 1900.

Hon. J. N. Browning, President of the Senate.

MR. PRESIDENT: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House bill No. 4.

MARK LOGAN,
Acting Chief Clerk House of Representatives.

CANE PRESENTATION.

Senator Hanger was recognized by the Chair, and yielded the floor to Master Bruce Sherrill, who, in a few well chosen words, on behalf of the officers, clerks and pages of the Senate, presented ex-President Pro Tem. Senator R. N. Stafford, an elegant gold headed cane, in lieu of one formerly presented him, and which was destroyed by fire when the Senator's residence was recently burned.

Senator Stafford accepted the cane in words of feeling and gratitude.

On motion of Senator Patterson, the Senate adjourned until 10 a. m. Monday.

SEVENTEENTH DAY.

Senate Chamber,
Austin, Tex., Monday, Feb. 19, 1900.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.
Davidson.
Dibrell.
Goss.
Greer.
Grinnan.
Hanger.
James.
Kerr.
Lewis.
Lloyd.
McGee.

Miller.
Neal.
Patterson.
Potter.
Sebastian.
Stafford.
Stone.
Terrell.
Turney.
Wayland.
Yett.

Absent.

Burns.
Gough.

Johnson.
Linn.